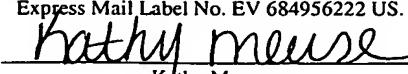


000FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE REV. 2001		CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER 07680.0034-00000
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37CFR1.5) Not Yet Assigned <b>000579508</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/038059	INTERNATIONAL FILING DATE 15 November 2004	
TITLE OF INVENTION <b>SKELETAL MUSCLE-DERIVED CELLS AND METHODS RELATED THERETO</b>		
APPLICANT(S) FOR DO/EO/US  Peter C. Yaeger Jeffrey D. Stewart Bruce M. Wentworth		
Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C 371.	
2.	<input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.	
3.	<input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.	
4.	<input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).	
5.	<input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) : a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US).	
6.	<input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4).	
7.	<input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.	
8.	<input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
9.	<input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).	
10.	<input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).	
Items 11 to 20 below concern document(s) or information included:		
11.	<input checked="" type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98	
12.	<input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13.	<input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.	
14.	<input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.	
15.	<input type="checkbox"/> A Substitute specification.	
16.	<input type="checkbox"/> A change of power of attorney and/or address letter.	
17.	<input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.	
18.	<input type="checkbox"/> A second copy of the published international application _____ under 35 U.S.C. 154 (d)(4).	
19.	<input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).	
20.	<input checked="" type="checkbox"/> Other items or information: a. <input checked="" type="checkbox"/> Copy of cover page of International Publication No. WO 2005/049810 A1 b. <input checked="" type="checkbox"/> Form PCT/IB/318, Notification Relating to Priority Claim mailed March 3, 2005 c. <input checked="" type="checkbox"/> Form PCT/IB/308, First Notice mailed June 23, 2005 from the International Bureau d. <input checked="" type="checkbox"/> Form PCT/IB/308, Second and Supplementary Notice mailed March 23, 2006 from the International Bureau	

AP20 Rec'd PCT/PTO 16 MAY 2006

U.S. APPLICATION NO. (If known, see 37CFR 1.5) Not Yet Assigned <b>124579508</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2004/038059</b>		ATTORNEY'S DOCKET NUMBER <b>07680.0034-00000</b>																																																																																						
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <table border="1"> <tr> <td colspan="2"><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b></td> <td><b>\$300.00</b></td> <td><b>Applicant Use</b></td> <td><b>Office Use Only</b></td> </tr> <tr> <td colspan="2">National Stage Search Fee.....</td> <td>\$500.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2">National Stage Examination Fee.....</td> <td>\$200.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></td> <td><b>\$1,000.00</b></td> <td></td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of additional 50 or fraction thereof (rounded up to a whole number)</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>76- 100 =</td> <td>0/50=</td> <td>0</td> <td>x 250.00</td> <td>0.00</td> </tr> </tbody> </table> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>24</td> <td>- 20 =</td> <td>x \$50.00</td> <td>\$200.00</td> </tr> <tr> <td>Independent Claims</td> <td>5</td> <td>-3 =</td> <td>x \$200.00</td> <td>\$400.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+\$360.00</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF THE ABOVE CALCULATIONS =</b></td> <td><b>\$1,600.00</b></td> <td></td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <table border="1"> <tr> <td colspan="4"></td> <td style="text-align: right;"><b>SUBTOTAL =</b></td> <td><b>\$1,600.00</b></td> </tr> </table> <p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest priority date (37 CFR 1.492(f)).</p> <table border="1"> <tr> <td colspan="4"></td> <td style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$1,600.00</b></td> </tr> </table> <p>Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.</p> <table border="1"> <tr> <td colspan="4"></td> <td style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$1,600.00</b></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">charged:</td> <td></td> </tr> </table> <p>a. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>06-0916</u> in the amount of <u>\$1,600.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Finnegan, Henderson, Farabow, Garrett &amp; Dunner, L.L.P. 901 New York Avenue, NW Washington, D.C. 20001-4413</p> <p style="text-align: right;"></p> <p>Konstantin M. Linnik Reg. No. 56,309</p> <p>Dated: May 16, 2006</p> <p><b>CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on May 16, 2006 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EV 684956222 US.</p> <p style="text-align: center;"> Kathy Meuse</p>						<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>		<b>\$300.00</b>	<b>Applicant Use</b>	<b>Office Use Only</b>	National Stage Search Fee.....		\$500.00			National Stage Examination Fee.....		\$200.00			<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$1,000.00</b>		Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate	76- 100 =	0/50=	0	x 250.00	0.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	24	- 20 =	x \$50.00	\$200.00	Independent Claims	5	-3 =	x \$200.00	\$400.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	\$	<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				<b>\$1,600.00</b>						<b>SUBTOTAL =</b>	<b>\$1,600.00</b>					<b>TOTAL NATIONAL FEE =</b>	<b>\$1,600.00</b>					<b>TOTAL FEES ENCLOSED =</b>	<b>\$1,600.00</b>					Amount to be refunded:	\$					charged:	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>		<b>\$300.00</b>	<b>Applicant Use</b>	<b>Office Use Only</b>																																																																																						
National Stage Search Fee.....		\$500.00																																																																																								
National Stage Examination Fee.....		\$200.00																																																																																								
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$1,000.00</b>																																																																																						
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate																																																																																							
76- 100 =	0/50=	0	x 250.00	0.00																																																																																						
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																																							
Total Claims	24	- 20 =	x \$50.00	\$200.00																																																																																						
Independent Claims	5	-3 =	x \$200.00	\$400.00																																																																																						
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	\$																																																																																						
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				<b>\$1,600.00</b>																																																																																						
				<b>SUBTOTAL =</b>	<b>\$1,600.00</b>																																																																																					
				<b>TOTAL NATIONAL FEE =</b>	<b>\$1,600.00</b>																																																																																					
				<b>TOTAL FEES ENCLOSED =</b>	<b>\$1,600.00</b>																																																																																					
				Amount to be refunded:	\$																																																																																					
				charged:																																																																																						

10/579508  
AP20 Rec'd PCT/PTO 16 MAY 2006

**CERTIFICATE UNDER 37 CFR § 1.10 OF  
MAILING BY "EXPRESS MAIL"**

---

EV 684956222 US

May 16, 2006

USPS Express Mail Label Number

---

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Kathy Meuse  
Kathy Meuse